

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION
CIVIL NO. 3:11-CV-129

FILED
CHARLOTTE, NC
APR 04 2012
U.S. DISTRICT COURT
WESTERN DISTRICT OF NC

DENISE DIANE CRAWFORD,
individually and on behalf of all persons
similarly situated,

Plaintiff,

v.

ZENTA MORTGAGE SERVICES LLC,

Defendant.

**STIPULATION AND PROPOSED ORDER
TO EXTEND STAY FOR PURPOSE OF
MEDIATION**

Plaintiff Denise Diana Crawford and Defendant Zenta Mortgage Services LLC ("Zenta") (collectively, the "Parties"), through their respective undersigned counsel, hereby stipulate to a 60 days extension of the current stay in this case, for the following reasons:

1. On December 22, 2011, after meeting and conferring on a framework for exploring settlement, the Parties filed a Joint Stipulation and Proposed Order Regarding Mediation ("Joint Stipulation"). (Dkt. No. 33.)
2. In their Joint Stipulation, the Parties initially requested a stay until April 1, 2012, to allow sufficient time for the Parties to exchange relevant documents and information, and to engage in meaningful, good faith and informed settlement discussions.
3. The Court granted the Joint Stipulation on January 3, 2012, including the Parties' request to stay this matter until April 1, 2012. (Dkt. No. 34.)
4. The Parties have remained in constant contact since the Court's January 3, 2012 Order; however, as a result of unforeseen data collection issues, Zenta has not yet been able to produce certain requested data and information relevant to the Parties' settlement discussions.

Zenta plans to produce all outstanding documents and information available to it by April 6, 2012.

5. The Parties have selected a mutually agreeable mediator and anticipate participating in mediation before that mediator before May 31, 2012. The Parties still agree that they shall submit and disclose to each other and the mediator, detailed mediation statements setting forth the facts and relevant law supporting their claims and defenses and a calculation of the alleged class damages.

6. To accommodate the Parties' settlement discussions, Zenta agrees that with respect to Plaintiff's claims under the Fair Labor Standards Act, 29 U.S.C. § 201, *et seq.*, the statute of limitations shall remain tolled for all potential opt-in plaintiffs (using the class definition set forth in Plaintiff's Motion to Facilitate Notice Under 29 U.S.C. 216(b), filed on June 30, 2011 (Doc. Nos. 16 and 17), from the date the Parties filed the Joint Stipulation (December 22, 2011) until June 1, 2012.

7. To accommodate the Parties' settlement discussions, the Parties' agree that the stay of this matter shall be extended until June 1, 2012.

8. By June 1, 2012, the Parties shall file a joint report apprising the Court as to the status of their settlement discussions and outcome of their mediation.

WHEREFORE, the parties respectfully request that the Court enter this stipulation as an Order, and stay this case for purposes of mediation until June 1, 2012.

April 2, 2012

Respectfully submitted,

s/ Shanon J. Carson

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SO ORDERED this 4th day of April, 2012.


UNITED STATES DISTRICT JUDGE